

FILED

UNITED STATES DISTRICT COURT

FEB 06 2018

for the

Eastern District of North Carolina

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY PL DEP CLKUnited States of America
v.
Ramon Esteban Paez-Jerez

Case No. 5:18-MJ-01105-JG

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 16, 2009 in the county of Wake in the
Eastern District of North Carolina, the defendant(s) violated:

Code Section

18 U.S.C. § 1542

Offense Description

The defendant willfully and knowingly made a false statement in an application for a passport with intent to induce and secure for his own use the issuance of a passport under the authority of the United States, contrary to the laws regulating the issuance of such passports and the rules prescribed pursuant to such laws, in that in such application the defendant stated he was an individual having initials C.J.P. and that he had never used a different name, which statement he knew to be false.

This criminal complaint is based on these facts:

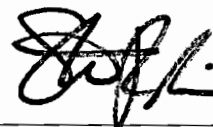
Please see attached affidavit.

☒ Continued on the attached sheet.On this day, Steven S. Robinson
appeared before me via reliable electronic means, was
placed under oath, and attested to the contents
of this Complaint.

Date:

6 February 2018

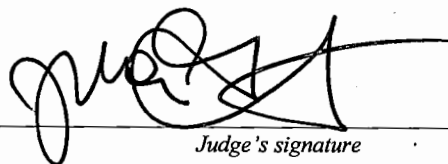
City and state:

Raleigh, North Carolina

Complainant's signature

Steven S. Robinson, Special Agent DSS

Printed name and title



Judge's signature

JAMES E. GATES, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Steven S. Robinson (hereinafter "your affiant"), having been duly sworn, hereby depose and state as follows:

Introduction

1. I am employed as a Special Agent (S/A) of the United States Department of State, Diplomatic Security Service (DSS) and have been employed in this capacity for approximately 2.5 years. My duties include, but are not limited to investigating U.S. Passport and Visa fraud, as well as other related crimes involving fraudulent documents. I am a graduate of the Criminal Investigator Training Program at the Federal Law Enforcement Training Center in Brunswick, Georgia and the Basic Special Agent Course at the Diplomatic Security Training Center in Dunn Loring, Virginia. The information contained in this affidavit is based upon your affiant's personal knowledge in addition to information provided to your affiant by other law enforcement officials. This affidavit does not contain every material fact that I have learned during the course of this investigation; however, no information known to me that would tend to negate probable cause has been withheld from this affidavit.

2. This statement of facts is made in support of a criminal complaint against Ramon Esteban Paez-Jerez (hereinafter "PAEZ-JEREZ") for making a false statement in a passport application, in violation of Title 18, United States Code, Section 1542.

Immigration History

3. In the course of investigating this matter, your affiant obtained and reviewed documentation from PAEZ-JEREZ's official Alien File (A-File) numbered 027 544 784, maintained by the Department of Homeland Security (DHS) and obtained with the assistance of S/A Luis Castrillon with Homeland Security Investigations (HSI). This A-File is maintained in the name of Ramon PAEZ-JEREZ and contains this individual's biographical information, family history, records of encounters with ICE, conviction records, and fingerprints. Based on the review of documentation from this A-File, your affiant has concluded that it does in fact pertain to the individual in this matter.

4. The A-File documentation reflects the following information relative to this individual:

- a. PAEZ-JEREZ is a citizen and national of the Dominican Republic.
- b. His date of birth is XXXXX XX, 1959, and his name is correctly reflected in this affidavit and the complaint to which it is attached. PAEZ-JEREZ's last name is alternatively spelled as "PAIZ JEREZ" or "PAOZ JEREZ" in several places in the file. However, your affiant believes that these all refer to the same person, and when PAEZ-JEREZ signs or writes his own name it appears that "PAEZ-JEREZ" is the correct spelling.
- c. PAEZ-JEREZ, on October 4, 1986, entered the United States near Brownsville, Texas. He was detained by the U.S. Border Patrol on October 4, 1986 and was arrested on October 5, 1986 for entering the country without inspection. His fingerprints were also recorded as part of this process. On October 24, 1986 PAEZ-JEREZ posted a \$1000 bond and was released, pending a future deportation hearing.
- d. PAEZ-JEREZ was, on October 20, 1987, ordered deported from the United States to the Dominican Republic by an immigration judge in Harlingen, TX. PAEZ-JEREZ had been notified of this hearing by mail, but did not appear at the hearing.
- e. PAEZ-JEREZ was, on April 16, 1988, notified by mail that he was ordered to present himself for deportation on May 16, 1988 at the Port Isabel Service Processing Center in Los Fresnos, TX. PAEZ-JEREZ did not present himself as ordered for deportation. There is no record of any contact or encounters with PAEZ-JEREZ following this event, and he remains listed in the Customs and Border Protection lookout file as an "Absconder."

Fraudulent Identity

5. In the course of investigating this matter, your affiant obtained and reviewed documentation from an additional A-File, numbered 091 313 025, maintained by the Department of Homeland Security (DHS) and obtained with the assistance of S/A Luis Castrillon with Homeland Security Investigations (HSI). This A-File is maintained in the name of an individual having initials C.J.P.¹ and contains this individual's biographical information, family history, records of encounters with ICE, conviction records, and fingerprints. Based on the review of documentation from this A-File, your affiant has concluded that the identity in this A-File is a fraudulently obtained identity used by PAEZ-JEREZ to remain in the United States.

6. The A-File documentation reflects the following information relative to this identity:

- a. PAEZ-JEREZ, using the C.J.P. identity, claims to have been born on XXXXX XX, 1963, in San Cristobal, Dominican Republic.
- b. On March 9, 1988, PAEZ-JEREZ, using the C.J.P. identity, applied for Temporary Residence in the United States under the amnesty provision of the 1986 Immigration Reform and Control Act. By applying under this provision, PAEZ-JEREZ was required to attest that he had resided illegally in the United States since prior to January 1, 1982. Following his interview conducted in conjunction with this application, his application was suspected to be fraudulent and was denied on August 11, 1988. After appealing this decision, his application was accepted and he obtained Legal Permanent Resident (LPR) status on October 3, 1989.
- c. On July 26, 1996, PAEZ-JEREZ, using the C.J.P. identity, applied to become a naturalized citizen of

¹The actual full name, date of birth, and Social Security number of the individual have been redacted throughout this affidavit to protect sensitive information.

the United States. His application was approved and he became a naturalized citizen on February 12, 1999.

- d. As part of the naturalization application process, PAEZ-JEREZ, using the C.J.P. identity, submitted fingerprints for a Federal Bureau of Investigation (FBI) background check. When these fingerprints were submitted, they came back as a match to the fingerprints taken from PAEZ-JEREZ after his arrest on October 5, 1986. Despite this evidence of a fraudulent identity, his naturalization process was allowed to continue.

7. On January 8, 2018, HSI S/A Luis Castrillon submitted two sets of fingerprints to the FBI with a request that they be compared. The first set was obtained from PAEZ-JEREZ on October 5, 1986 following his arrest for entering the country without inspection. These fingerprints were obtained by your affiant on December 20, 2017, through a request to the FBI using information from the arrest. The second set was obtained from PAEZ-JEREZ on July 26, 1996, as part of his naturalization application process under the C.J.P. identity. This set was taken from A-File numbered 091 313 025. The FBI sent a response on January 8, 2018, stating that these two sets of fingerprints were a match.

8. In an attempt to confirm the true identity of C.J.P., your affiant contacted the U.S. Embassy in Santo Domingo, Dominican Republic, and asked them to locate and interview C.J.P., or locate any Dominican government records concerning C.J.P. Investigators in Santo Domingo were unable to locate C.J.P. for an interview, but did obtain a Dominican government identification card for C.J.P., issued in 1985, as well as a birth certificate. Both documents have a date of birth of September 20, 1963. The picture on the ID card does not appear to match any known pictures of PAEZ-JEREZ, and the signature also does not match any signature that PAEZ-JEREZ submitted under the C.J.P. identity.

Passport Application Fraud

9. On September 16, 2009, PAEZ-JEREZ, purporting to be C.J.P., applied to renew his U.S. passport.² Specifically, PAEZ-JEREZ mailed a DS-82 Form, Application for a U.S. Passport by Mail (#234676407), to the National Passport Center in Portsmouth, NH. On the form, PAEZ-JEREZ used C.J.P.'s name, date of birth, and the Social Security number that he obtained using C.J.P.'s identity. PAEZ-JEREZ stated he had never used a different name. PAEZ-JEREZ signed the form, under penalty of perjury, claiming to be C.J.P., a citizen of the United States. As proof of eligibility for the passport, PAEZ-JEREZ mailed in his previously issued passport, #112006381, which was issued on February 22, 1999. This passport was also obtained using C.J.P.'s name, date of birth, and Social Security number, as well as a United States Certificate of Naturalization and New York state driver's license obtained using C.J.P.'s identity. The completed passport (#464706437) was mailed to PAEZ-JEREZ's mailing address that he listed on the form, XXXX Oatgrass Lane, Raleigh, NC 27604, on September 29, 2009.

10. Your affiant examined photographs submitted by PAEZ-JEREZ with both passport applications referenced above. They appear to be of the same person. These photographs also appear to match those contained in the A-file in C.J.P.'s name. Additionally, photographs on Dominican identity documents in the name of PAEZ-JEREZ, obtained through Dominican government databases, appear to match the passport and A-file photographs as well.

Use of Fraudulently Obtained Passport

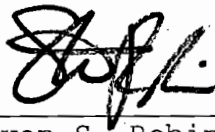
11. Government database records show that passport #464706437, issued to PAEZ-JEREZ under the C.J.P. identity, has been used to travel from the U.S. to the Dominican Republic, and back to the U.S., on 18 separate occasions from March 2010 to May 2017.

² On or about February 22, 1999, PAEZ-JEREZ, purporting to be C.J.P., applied for a U.S. Passport. PAEZ-JEREZ was issued the U.S. passport under C.J.P.'s identity.

Conclusion

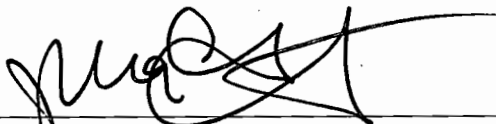
12. Based upon the above information, I respectfully submit that there is ample probable cause to believe that Ramon Esteban Paez-Jerez made false statements in a United States passport application, in violation of Title 18, United States Code, Section 1542, and respectfully request that this Honorable Court issue a warrant ordering his arrest for such crime.

Further your affiant sayeth not.



Steven S. Robinson
Special Agent
Diplomatic Security Service

On this 6 day of February, 2018 Special Agent Steven S. Robinson appeared before me via reliable electronic means, was placed under oath, and attested to the contents of this affidavit.



JAMES E. GATES
United States Magistrate Judge
Eastern District of North Carolina